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CALIFORNIA HIGH-SPEED RAIL AUTHORITY

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NOTICE OF PREPARATION

FROM: Mehdi Morshed
Executive Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

SUBJECT: Notice of Preparation of a Project Environmental Impact Report / Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Merced to Sacramento, CA (Note: Review period ends Friday, February 26, 2010)

The California High-Speed Rail Authority (Authority), as the Lead Agency for the California Environmental Quality Act (CEQA) process for a proposed California High-Speed Train (HST) System, is issuing this Notice of Preparation (NOP) of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Merced to Sacramento Section of the Authority's proposed HST System.

This NOP initiates the State CEQA process and the preparation of an EIR/EIS for the Merced to Sacramento Section of the proposed California HST System in compliance with relevant state and federal laws, in particular the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The San Joaquin Regional Rail Commission (SJRRC) is interested in providing intercity and commuter regional rail passenger services within this section of the HST System, connecting to the Altamont Corridor Rail Project, and will be a local partner supporting the project development process. The Authority is issuing this NOP to solicit public and agency input into the development of the scope of the EIR and to advise the public that outreach activities will be conducted by the Authority and its representatives in the preparation of the combined EIR/EIS. The Federal Railroad Administration (FRA), an operating administration with the United States Department of Transportation, will serve as federal lead agency for the federal environmental review process complying with NEPA. The FRA has responsibility for oversight of the safety of railroad operations, including the safety of any proposed high-speed ground transportation system. The U.S. Army Corps of Engineers may serve as a cooperating agency for the preparation of the EIR/EIS. The FRA will publish a Notice of Intent (NOI) in the *Federal Register*, announcing the agency's intention to initiate the federal environmental review process for this section of the HST System.

In 2001, the Authority and the FRA started a tiered environmental review process for the HST System and in 2005, completed the first tier California HST Program EIR/EIS (Statewide Program EIR/EIS) and approved the statewide HST System for intercity travel in California between the major metropolitan centers of Sacramento and the San Francisco Bay Area in the north, through the Central Valley, to Los Angeles and San Diego in the south. The approved HST System would be about 800 miles long, with electric propulsion and steel-wheel-on-steel-rail trains capable of operating speeds of 220 miles per hour (mph) on a mostly dedicated system of fully grade-separated, access-controlled steel track with state-of-the-art safety, signaling, communication, and automated train control systems. In approving the HST System, the Authority and FRA also selected corridors/general alignments and station location options throughout most of the system. The Statewide Program EIR/EIS selected the Union Pacific Railroad Company (UPRR) corridor for the high-speed train route from Sacramento south to Stockton and the

BNSF railroad corridor from Stockton south to Merced. Consistent with the Clean Water Act implementing regulations and because the UPRR alignment option may have more potential impacts to waters and biological resources, the Central California Traction (CCT) alignment between Sacramento and Stockton will also be evaluated as part of the Project EIR/EIS.

In 2008, the Authority and FRA completed a second program EIR/EIS to evaluate and select general alignments and station locations within the broad corridor between and including the Altamont Pass and the Pacheco Pass to connect the Bay Area and Central Valley portions of the HST System. The Authority and FRA selected the Pacheco Pass with the San Francisco and San Jose termini network alternative, as well as preferred corridor alignments and station location options. The UPRR corridor was selected as the preferred alignment through the portion of the Central Valley from south of Stockton to Merced and the BNSF was recommended for further study in this area for the Project EIR/EIS. The Authority is currently undertaking additional work on the Program EIR for the Bay Area to Central Valley portions of the HST system to comply with a final court ruling in the Town of Atherton litigation. The court ruling allowed the Authority to continue its project-level EIR work while making the necessary programmatic EIR corrections. The Authority expects to circulate the revisions to the Program EIR in early 2010 and will then make a new programmatic decision to select a network alternative, alignments, and station locations to be studied further at the project level.

The preparation of the Merced to Sacramento HST Project EIR/EIS will involve the development of preliminary engineering designs and the assessment of potential environmental effects associated with the construction, operation, and maintenance of the HST System, including track, ancillary facilities, and stations along the preferred alternative corridors from Merced to Sacramento.

DATES: Written comments on the scope of the Merced to Sacramento HST Project EIR/EIS should be provided to the Authority by 5:00 PM, Friday February 26, 2010. Public scoping meetings are scheduled from January 20, 2010 through January 28, 2010 as noted below in the cities of Stockton, Merced, Sacramento, and Modesto, California.

ADDRESSES: Written comments on the scope of this EIR/EIS should be sent to Mr. Dan Leavitt, Deputy Director, ATTN: Merced to Sacramento HST Project EIR/EIS, California High-Speed Rail Authority, 925 L Street, Suite 1425, Sacramento, CA 95814, or via email with subject line "Merced to Sacramento Section" to: comments@hsr.ca.gov. Comments may also be provided orally or in writing at the scoping meetings.

FOR FURTHER INFORMATION CONTACT: Mr. Dan Leavitt at (916) 324-1541 or at the above noted address.

SUPPLEMENTARY INFORMATION:

Scoping: The Authority, FRA, and SJRRC invite all interested individuals, organizations, public agencies, and Native American tribes to comment on the scope of the EIR/EIS, including the project objectives, the alternatives to be studied, the impacts to be evaluated, and the evaluation methods to be used. Comments should focus on: alternatives that may be less costly or have fewer environmental or community impacts while achieving similar transportation objectives, and the identification of any significant social, economic, or environmental issues related to potential alternatives.

Agency Responsibilities: The Authority was established in 1996 and is authorized and directed by statute to undertake the planning and development of a proposed statewide HST network that is fully coordinated with other public transportation services. The Authority adopted a Final Business Plan in June 2000, which reviewed the economic feasibility of an 800-mile-long HST System capable of speeds in excess of 200 miles per hour on a mostly dedicated, fully grade-separated state-of-the-art track. The Authority released updated business plans in November 2008 and December 2009.

The FRA has responsibility for overseeing the safety of railroad operations, including the safety of any proposed high-speed ground transportation system. For the proposed project, FRA may need to take certain regulatory actions prior to operation. The FRA is also authorized to provide federal funding for intercity passenger rail capital investments through high-speed and intercity passenger rail grant programs created in the Passenger Rail Investment and Improvement Act of 2008.

The SJRRC manages and operates the current Altamont Commuter Express (ACE) service between Stockton and San Jose. The SJRRC and the Authority have signed a Memorandum of Understanding, which recognizes their mutual interest in the development of this section of the HST System and that establishes SJRRC as a local partner for the development of the Merced to Sacramento HST Project.

Background: In 2005, the Authority and FRA completed the Statewide Program EIR/EIS for the Proposed California High-Speed Train System, as the first phase of a tiered environmental review process. The Authority certified the Statewide Program EIR under CEQA and approved the proposed HST System. FRA issued a Record of Decision on the Statewide Program EIR/EIS required under NEPA. The Statewide Program EIR/EIS established the purpose and need for the HST System and compared the proposed HST System with a No Project/No Action Alternative and a Modal Alternative. In approving the Statewide Program EIR/EIS, the Authority and the FRA selected the HST Alternative, selected certain corridors/general alignments and general station locations for further study, incorporated mitigation strategies and design practices, and specified further measures to guide the development of the HST System during the site-specific project environmental review to avoid and minimize potential adverse environmental impacts. Additional consideration will be given to potential operation of a regional passenger rail service in this section of the Authority's HST System infrastructure by SJRRC, who may potentially develop additional regional stations for such a service. SJRRC and the Authority have signed a Memorandum of Understanding (MOU) which recognizes their mutual interest in development of this section of the HST System and SJRRC will serve as a local partner for the Merced to Sacramento HST Project.

The Merced to Sacramento HST Project EIR/EIS will tier from the Statewide Program EIR/EIS and the Bay Area to Central Valley HST Program EIR/EIS and its related 2010 revisions in accordance with Council on Environmental Quality (CEQ) regulations, (40 CFR §1508.28) and State CEQA Guidelines (14 California Code of Regulations §15168(b)). Tiering ensures that the Merced to Sacramento HST Project EIR/EIS builds upon program analysis and decisions made with the Statewide Program EIR/EIS and the Bay Area to Central Valley HST Program EIR/EIS.

The Merced to Sacramento HST Project EIR/EIS: The Project EIR/EIS will describe site-specific environmental impacts, identify specific mitigation measures to address those impacts, and incorporate design features to avoid and minimize potential adverse environmental impacts. The FRA and the Authority will assess the site characteristics, size, nature, and timing of the proposed project to determine whether the impacts are potentially significant and whether impacts can be avoided or mitigated. This project EIR/EIS will identify and evaluate reasonable and feasible site-specific alignment alternatives, and evaluate the impacts of construction, operation, and maintenance of the HST System. Information and documents regarding this HST environmental review process will be made available through the Authority's Internet site: http://www.cahighspeedrail.ca.gov/.

Project Objectives/Purpose and Need: The purpose of the Merced to Sacramento HST Project is to implement the statewide HST System along the corridors selected in program-level documents that will: (1) link Southern California cities, the Central Valley, Sacramento, and the Bay Area; (2) provide a new transportation option that increases mobility throughout California; (3) provide reliable HST service that delivers predictable and consistent travel times using electric powered steel-wheel trains; and (4) provide a transportation system that is commercially viable. The need for an HST System is directly related to the expected growth in population, and increases in intercity travel demand in California over the next twenty years and beyond. With the growth in travel demand, there will be an increase in travel delays arising

from the growing congestion on California's highways and at its airports. In addition, there will be negative effects on the economy, quality of life, and air quality in and around California's metropolitan areas from an increasingly congested transportation system that will become less reliable as travel demand increases. The intercity highway system, commercial airports, and conventional passenger rail serving the intercity travel market are currently operating at or near capacity, and will require large public investments for maintenance and expansion to meet existing demand and future growth. The proposed HST system is designed to address some of the social, economic, and environmental problems associated with transportation congestion in California. In addition to serving a statewide need, the project will consider the viability of sharing track with regionally operated services which may serve additional regional stations (that would not be used by HST services) located between stops identified on the statewide HST System.

Alternatives: The Merced to Sacramento HST Project EIR/EIS will consider a No Action or No Project Alternative and an HST Alternative for the Merced to Sacramento Section.

No Action Alternative: The No Action Alternative (No Project or No Build) represents the conditions in the corridor as it existed in 2009, and as it would exist based on programmed and funded improvements to the intercity transportation system and other reasonably foreseeable projects through 2035, taking into account the following sources of information: State Transportation Improvement Program (STIP) and Regional Transportation Plans (RTPs) for all modes of travel, airport plans, intercity passenger rail plans, and city and county plans.

HST Alternative: The Authority proposes to construct, operate, and maintain an electric-powered steel-wheel-on-steel-rail HST System, about 800 miles long, capable of operating speeds of 220 mph on mostly dedicated, fully graded-separated, access controlled track with state-of-the-art safety, signaling, and automated train control systems. As part of the Bay Area to Central Valley HST Program EIR/EIS, the Authority and FRA selected the UPRR alignment through the portion of the Central Valley from Merced to south of Stockton as the preferred alternative. This Project EIR/EIS will also evaluate the BNSF railroad alignment in this part of the Central Valley because of the uncertainty of negotiating with UPRR for some of their right-of-way. In the Statewide Program EIR/EIS, the Authority and FRA selected the UPRR alignment as the preferred alternative from Stockton to Sacramento. However, because the Statewide Program EIR/EIS concluded that the UPRR alignment option may have more potential impacts to waters and biological resources than the CCT alignment option, the CCT alignment option will also be evaluated in this Project EIR/EIS between Stockton and Sacramento. In the Central Valley, the HST would operate at speeds up to 220 mph on tracks separate from the existing BNSF and UPRR. Further engineering studies to be undertaken as part of this EIR/EIS process will examine and refine alignments in the BNSF, CCT, and UPRR corridors. The entire alignment would be grade separated. In addition, alternative sites for right-of-way maintenance, train storage facilities, and a fleet storage/service and inspection/light maintenance facility in Sacramento will be evaluated. Finally, features necessary to accommodate connections to the Altamont Corridor Rail Project between Stockton and Modesto will be identified and evaluated. See Figure A for a map of the Merced to Sacramento Section of the HST System.

Preferred station locations selected by the Authority and FRA through the Statewide Program EIR/EIS will be evaluated for Sacramento and Stockton. These stations are downtown Sacramento and downtown Stockton. In addition, the preferred downtown Modesto station location selected by the Authority and FRA through the Bay Area to Central Valley HST Final Program EIR/EIS on the UPRR alignment and the "Amtrak Briggsmore" site on the BNSF alignment will also be evaluated in the Merced to Sacramento HST Project EIR/EIS to serve the Modesto area. The station in Merced will be analyzed in the separate EIR/EIS for the Merced to Fresno HST Project. Alternative station sites at or near the selected station locations may be identified and evaluated. Additional regional stations which potentially could be served by regional trains (but not HST services) may also be identified and evaluated.

Probable Effects: The purpose of the EIR/EIS process is to evaluate in a public setting the potential effects of the proposed project on the physical, human, and natural environment. The FRA and the Authority will continue the tiered evaluation of all significant environmental, social, and economic impacts of the construction and operation of the Merced to Sacramento Section of the HST System. Impact areas to be addressed include transportation impacts; safety and security; land use and zoning; land acquisition, displacements, and relocations; cumulative and secondary impacts; agricultural land impacts; cultural resource impacts, including impacts on historical and archaeological resources and parklands/recreation areas; neighborhood compatibility and environmental justice; natural resource impacts including air quality, wetlands, water resources, noise, vibration, energy, and wildlife and ecosystems, including endangered species. Measures to avoid, minimize, and mitigate all adverse impacts will be identified and evaluated.

Scoping and Comments: The Authority encourages broad participation in the EIR/EIS process during scoping and review of the resulting environmental documents. Comments are invited from all interested agencies and the public to ensure the full range of issues related to the proposed action and reasonable alternatives are addressed and all significant issues are identified. In particular, the Authority is interested in learning whether there are areas of environmental concern where there might be a potential for significant site-specific impacts from the Merced to Sacramento Section of the HST System. Public agencies with jurisdiction are requested to advise FRA and the Authority of the applicable permit and environmental review requirements of each agency, and the scope and content of the environmental information that is germane to the agency's statutory responsibilities relevant to the proposed project. Public scoping meetings have been scheduled as an important component of the scoping process for both the State and Federal environmental review. The scoping meetings described in this Notice will also be the subject of additional public notification. Scoping meetings are scheduled from 3:00 p.m. to 7:00 p.m. at the following locations:

- **Stockton, CA,** January 20, 2010 -- San Joaquin Council of Governments, 555 East Weber Avenue, Stockton, California.
- **Merced, CA,** January 21, 2010 -- Merced Senior Center, 755 West 15th Street, Merced, California.
- **Sacramento, CA,** January 27, 2010 -- Amtrak Depot, Model Room, 301 I Street, Sacramento, California.
- **Modesto, CA,** January 28, 2010 -- Modesto Center Plaza, 1000 L Street, Modesto, California.

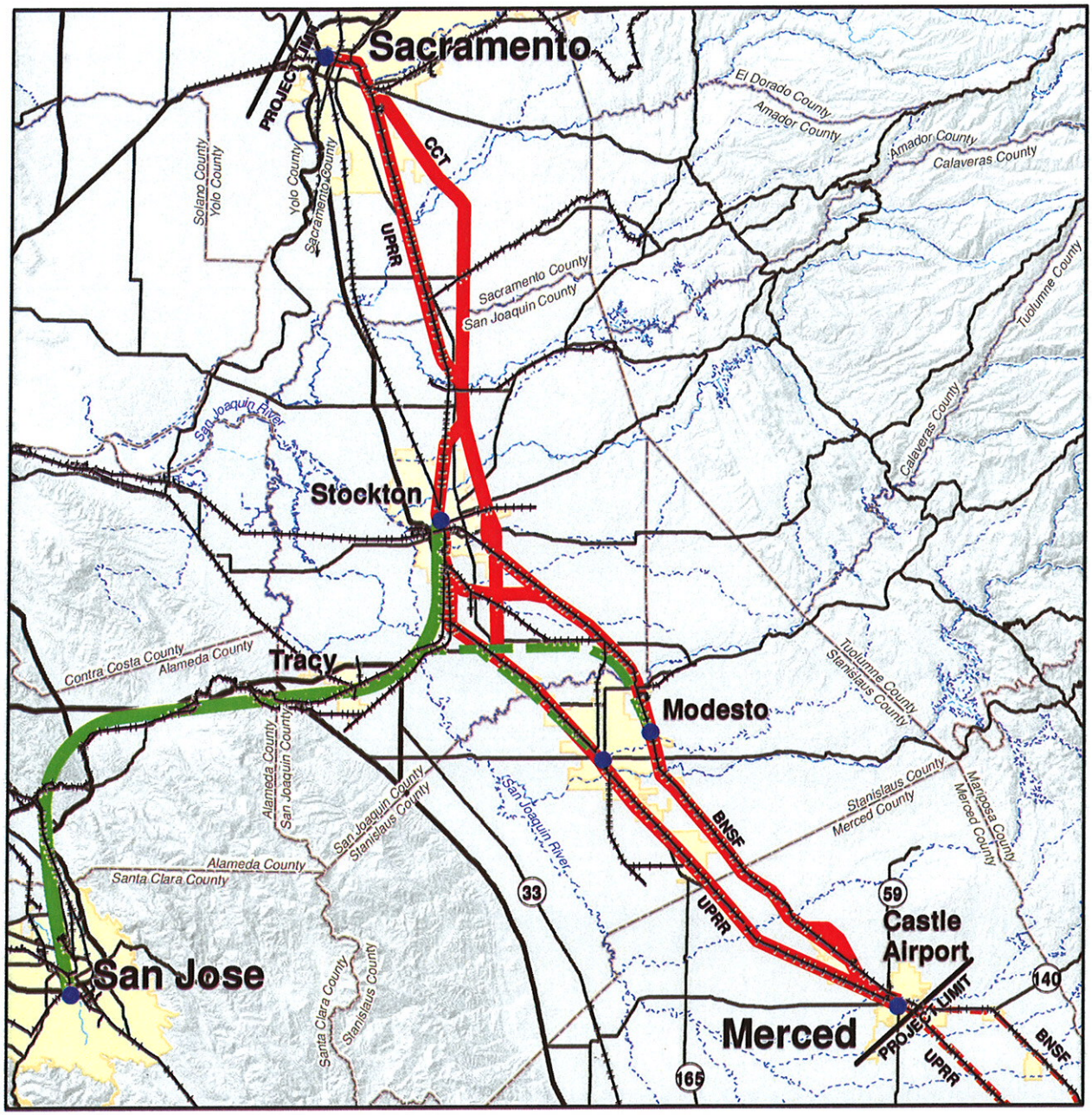
Public agencies are requested to send their responses to this Notice of Preparation to the Authority by 5:00 PM, Friday, February 26, 2010.

Please send your response and direct any comments or questions regarding this Project to Mr. Dan Leavitt, Deputy Director of the California High-Speed Rail Authority at the address shown above.

Date: 12/23/09

Signature: for

Mehdi Morshed, Executive Director



LEGEND

- Preferred HST Station
- HST Route Alternatives
- Link to Other HST Sections
- Altamont Corridor Rail Project – Being evaluated separately as a regional connection
- Interstate System
- State Route
- Railroad
- River
- City Boundary

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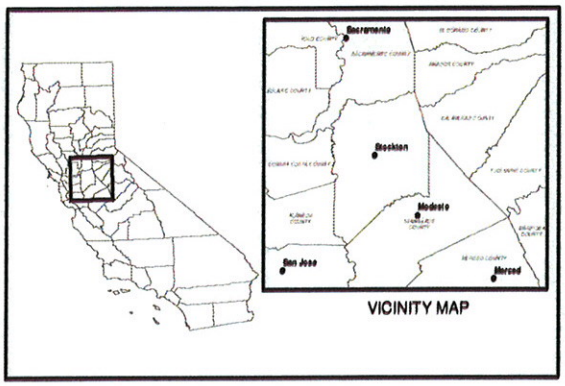

FIGURE A
Merced to Sacramento HST Project Section

CALIFORNIA HIGH-SPEED RAIL AUTHORITY